

REAUTHORIZATION OF FEDERAL TRANSPORTATION LEGISLATION

Background:

The current national transportation program known as SAFETEA-LU expires on September 30, 2009. This program, financed in large part by the Highway Trust Fund, guides the expenditure of federal money for surface transportation investments and services across the country. Not only does the national transportation program directly influence how states, regions and cities invest in transportation but to a significant degree how these economic centers grow, develop and prosper.

There is a growing consensus that the current federal transportation program is ill-suited to answer some of the nation's most pressing mobility needs and relies on a funding source - gas tax - that runs counter to the national goal of energy efficiency and environmental stewardship. The recent national decline in vehicle-miles-of travel and a shift to fuel efficient vehicles has made it difficult for transportation officials to address the nation's current infrastructure crisis and to ensure our transportation network keeps pace with the growing demand in personal and commercial travel.

With this in mind, the next transportation program must prioritize the need to maintain the nation's transportation infrastructure and assets in a state of good repair; the enactment of strategies that create a long-term sustainable and equitable transportation revenue source; and, the accountability from all entities receiving federal funds to clear performance-based standards that promote energy security, economic prosperity and public health and safety. It should do so in a manner that supports community sustainability, improves mobility choices, facilitates inter-regional connectivity and enables us to compete successfully in the global marketplace.

The impending reauthorization of the national transportation program provides a crucial opportunity to address funding issues and advance the innovative policy changes necessary to ensure our nation's transportation system is a model for others to follow. This milestone has been recognized throughout a diverse transportation sector and has been reflected in several sets of proposals for restructuring the focus and structure of the national transportation program.

Proposals to Date:

On June 18, 2009 the bipartisan leadership of the U.S. House of Representatives Committee on Transportation and Infrastructure released the Surface Transportation Authorization Act of 2009. This six-year \$500 billion "blueprint" for transportation investment and reform is designed to increase accountability, transparency and overall system performance to guarantee our transportation investments produce the best returns for the nation's citizen's, communities, economy and environment. Specifically, the proposed legislation addresses structural policy and appropriation deficiencies currently in SAFETEA-LU, consolidates/terminates more than 75 existing programs, furthers national energy independence and environmental stewardship and promotes a multi-modal transportation agenda that enhances the livability of our communities. It stops short however, in identifying a revenue title or an innovative funding strategy.

Recognition that our nation's metropolitan areas are home to over 80 percent of the country's population and generate over 85 percent of the gross national product and are experiencing an "urban renaissance" is consistent with national goals. The Surface Transportation Authorization Act empowers metropolitan (transportation) planning organizations (MPOs), such as the Baltimore Regional Transportation Board, to advance transportation investments that strengthen their core and enhance their sustainability and economic competitiveness. Metropolitan planning provisions in the Surface Transportation Authorization Act require proportional voting on MPO policy boards (currently BRTB voting members have equal voting status) and establishes new performance targets that link system performance to the MPO certification process. Efforts in the past to make the MPO forum a "player" in the decision-making process have confronted stiff resistance from state departments of transportation with Maryland being no exception. Taken altogether, under the Surface Transportation Authorization Act the profile of the MPO forum constitutes a new approach and agenda to address pressing transportation challenges.

As for the Obama administration's response to the pending sunset of SAFETEA-LU, the President has suggested a "Stage 1" 18 month extension of the current transportation bill instead of backing a major overhaul at this time. Early indications have Stage 1 promoting capacity building at the MPO to improve regional accessibility and mobility initiatives in an effort to enhance the livability of communities.

On June 26, 2009 the American Clean Energy and Security Act (ACESA) of 2009 was endorsed by the U. S. House of Representatives. Similar to the Surface Transportation Authorization Act, this climate change legislative initiative requires MPOs to develop comprehensive strategies to reduce greenhouse gas (GHG) emissions and implement transportation efficient projects that achieve progress towards national energy security and climate change goals. However, creating a new parallel transportation planning process under the ACESA, led by the Environmental Protection Agency, would create confusion and major difficulties in the transportation planning process.